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February 7, 1994

Via: Federal Express

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Re: Compatibility Between Cable Systems
and Consumer Electronics Equipment
ET Docket No. 93-7

Dear Mr. Caton:

Please find attached on behalf of Scottsdale
Television Labs an original and ten copies of our Reply
Comments in the above referenced proceeding.

Please stamp and return the provided copy to confirm
your receipt. Self-addressed envelope is enclosed.

Any questions regarding this submission should be
directed to Dorinda Lee Hartson at (602)483-0842.

Sincerely,

Dorinda Lee Hartson

Dorinda Lee Hartson

Attachment

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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Implementation of Section 17 of the)
Cable Television Consumer Protection)
and Competition Act of 1992)

ET Docket No. 93-7

Compatibility Between Cable Systems)
and Consumer Electronics Equipment)

REPLY COMMENTS OF SCOTTSDALE TELEVISION LABS

**Dorinda Lee Hartson
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Scottsdale Television Labs
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Before the
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COMMENTS OF SCOTTSDALE TELEVISION LABS

Scottsdale Television Labs by its principals hereby submits these
reply comments to the Commission's Notice Of Proposed Rule Making
in the above captioned proceeding.

***1. The pending issue is too complex to be resolved through
anecdotal regulation.***

The Congressional mandate to the Commission is too narrowly defined
to permit the adoption of meaningful regulation. In the period of time
immediately following the adoption of the "Cable Act of '92" technological and
competitive factors have both undergone sweeping changes. Any attempt to
deal with the issues of compatibility between cable television and its
subscribers' equipment while ignoring the changes in the marketplace will only
result in greater confusion for the subscriber. Regulation which doesn't include
these changes becomes part of the problem.

Filers during the comment period have aligned themselves in a provincial manner on the issue of whether or not the pending regulation should apply to other Multiple Channel Video Providers.

If these providers of video to the home evolve as forecast, any attempt to regulate the functionality of cable while ignoring the inadequacies of other video providers will create confusion in the minds of consumers as well as a competitive imbalance. The technological process employed for delivery should be academic to the viewer. He or she should not be mindful of the mechanism of the message.

Rapidly evolving digital technology will soon enter viewers' homes through cable television, twisted pair (ADSL) and as recently announced, through digitally compressed broadcast television signals. For the Commission to continue on the course of defining inter-operability between cable TV and consumers' reception equipment in the time frame currently specified, must either ignore these imminent changes or speculate as to their format. We submit the viewing public is not served by either process.

A preferred approach, it is submitted, would be to delay the current process until Congress can be fully appraised of the implications outlined above and additional legislation enacted to deal comprehensively with these issues thereby assuring a "level playing field" and the orderly marketplace development of the technologies that will shortly emerge. It would be easy for the Commission in an attempt to right an imbalance, to become part of the problem.

II. All disciplines that share the revenue stream of the television universe should be equally accountable for inter-operability and equally responsible for effective consumer education.

While broad changes of this scope are outside of the present Congressional mandate, the Commission as an expert agency, we would submit, should report to Congress the potentially disruptive and further confusing effects of dealing with only one small segment of the total problem. Before the regulations currently contemplated can be made fully effective, the technological and competitive factors mentioned above will have further altered the landscape thus making the already narrowly defined regulation of even less benefit to the already frustrated consumer.

It is proposed that the Commission convene hearings to more completely acquaint themselves with the problems and opportunities of a more widely defined inter-operability agenda. Participants should include those working in all disciplines directly involved with home video delivery. The results of these hearing should be made a part of the Commission's Report to Congress.

Reaching a stable platform against which goods and services could be built while preserving sufficient flexibility so as to not stifle innovation is a worthy goal which would reward the American viewing public well into the next century.

III. If it looks like a duck.....

An example of quilt-like regulation can be seen emerging in the comments of filers regarding so-called "cable-ready" televisions and VCR's. The

consumer electronics industry nearly 20 years ago developed television tuners that permitted the reception of non-broadcast television signals which were delivered primarily through cable television systems. Calling these devices "cable-ready" failed to address the concerns of selective delivery of premium programming (signal scrambling) which was the vehicle by which cable viewers could select the sort of programming they had individually chosen. This freedom of choice is the hallmark of American tradition.

Currently various filers are proposing a gamut of regulation on so-called "cable-ready" televisions. The range of these recommendations goes from the ability of the consumer industry to build receivers that are no more cable-ready than they have ever been to that of a consumer warning sticker, *caveat emptor*, much like a mattress tag. This type of regulation allows the consumer electronics industry to side-step the additional performance specifications and features that would make a television set truly "Cable Ready".

The misrepresentation on the showroom floor of "cable ready" television sets has resulted in the disappointment of the viewer in his/her living room. Permitting the continued manufacturing of television receivers which tune non Part-73 channels will allow continued misrepresentation on the showroom floor as to the capability of these receivers. **If it walks like a duck and it tunes like a duck, it must be a duck.**

We respectfully suggest the Commission take note of these
recommendations.

Scottsdale Television Labs

Dorinda Lee Hartson

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